

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Filed: October 31, 2018

Mr. Mark Henry Magidson
615 Griswold
Suite 810
Detroit, MI 48226

Re: Case No. 18-2111, *USA v. Harold Nero*
Originating Case No. : 2:17-cr-20183-5

Dear Counsel,

The Court issued the enclosed Order today in this case.

Sincerely,

s/Antoinette Macon on behalf of
Karen Fultz, Case Manager
Direct Dial No. 513-564-7036

cc: Mr. Jerome Francis Gorgon Jr.
Mr. Harold Lashawn Nero
Mr. David J. Weaver

Enclosure

No mandate to issue

No. 18-2111

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Oct 31, 2018
DEBORAH S. HUNT, Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

V.

HAROLD LASHAWN NERO,

Defendant-Appellant.

ORDER

Before: SUTTON, DONALD, and THAPAR, Circuit Judges.

This matter is before the court upon initial consideration to determine whether this appeal was taken from an appealable order.

A superseding indictment against Harold Lashawn Nero was filed in the district court on August 23, 2017. On September 6, 2018, the district court entered a “Stipulation and Order Setting Motion Cut-Off and Status Conference Dates.” On September 17, 2018, Nero appealed pro se from the September 6, 2018 stipulation order.

This court lacks jurisdiction over this appeal. We have appellate jurisdiction over “final decisions of the district courts of the United States.” 28 U.S.C. § 1291. The imposition of a sentence is the final judgment for purposes of an appeal in a criminal case. *Midland Asphalt Corp. v. United States*, 489 U.S. 794, 798 (1989); *Flanagan v. United States*, 465 U.S. 259, 263 (1984); *United States v. Yeager*, 303 F.3d 661, 665 (6th Cir. 2002). The case is still pending in the district court.

No. 18-2111

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Accordingly, we **DISMISS** this appeal for lack of jurisdiction.

ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Deborah S. Hunt", is written over a horizontal line.

Deborah S. Hunt, Clerk